



Federal Communications Commission
Washington, D.C. 20554

April 27, 2010

DA 10-697

Edward T. Teixeira
Vice Director of Civil Defense
State of Hawaii Department of Defense
3949 Diamond Head Road
Honolulu, HI 96816-4495

Dear Mr. Teixeira:

This letter grants your request, received April 21, 2010, on behalf of Hawaii State Civil Defense (HSCD) for a waiver to permit certain Amateur Radio Service licensees to transmit communications on behalf of their employers during an upcoming government emergency drill.

In your request, you state that HSCD will conduct a hurricane preparedness exercise between May 24 and June 4, 2010. The exercises will include amateur communications on May 29, 2010 from 9:00 a.m. to noon, and June 1, 2010 from 10:00 a.m. to 2:00 p.m., between hospitals, and between hospitals and emergency management centers. Amateur radio activity is anticipated on the islands of Kauai, Oahu, Molokai, Maui, Lanai, and Hawaii.

Section 97.113(a)(3) of the Commission's Rules, 47 C.F.R. § 97.113(a)(3), prohibits amateur licensees from transmitting communications in which they have a pecuniary interest, including communications on behalf of an employer. You therefore request a waiver of this rule to permit the following amateur licensees who are HSCD employees to transmit communications on behalf of their employer in connection with these exercises: Kevin Bogan, AH6QO; Julie Greenly, NH7ZY; Clement Jung, AH7HO; Anson Kimura, AH7ZZ; and Danny Tengan, NH7ZT. You also request a similar waiver for amateur licensees listed in your request who are employees of other entities participating in these drills, primarily employees of other government agencies and participating health care facilities, to transmit on behalf of their employers in connection with this exercise.¹

Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3, provides that the Commission may waive its rules if good cause for waiver is shown. We conclude that grant of the waiver request is appropriate under the circumstances presented. The public interest in facilitating amateur operations on May 29 and June 1, 2010, in support of the May 24-June 4, 2010 public safety exercise, by permitting the specified amateur licensees to participate warrants this limited waiver of Section 97.113(a)(3). This waiver grant permits transmission of communications by the amateur licensees listed in your request on behalf of their employers on May 29 and June 1, 2010, and immediately prior to the requested hours for the purpose of operational testing of equipment.

Accordingly, IT IS ORDERED that the waiver request of Hawaii State Civil Defense, received April 21, 2010, IS GRANTED.

¹ The request, including the entire roster, is set forth in the Commission's Universal Licensing System as an attachment under each of the licenses listed above.

Hawaii State Civil Defense

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau